

85th Legislative Session – 2010

Committee: House Taxation

Thursday, February 04, 2010

P - Present
E - Excused
A - Absent

Roll Call

P Cutler
P Feickert
P Gibson
P Greenfield
P Hunhoff (Bernie)
P Juhnke
P Kirkeby
P Kirschman
P Lange
P Lederman
P Noem, Vice-Chair
P Russell
P Solum
P Thompson
P Olson (Ryan), Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chair Ryan Olson.

MOTION: TO APPROVE THE MINUTES OF TUESDAY, FEBRUARY 2, 2010.

Moved by: Noem
Second by: Kirkeby
Action: Prevailed by voice vote.

HB 1210: prohibit companies from charging for amounts paid in premium taxes on annuities.

*Prior testimony heard on Tuesday, February 2, 2010.

Presented by: Representative H. Paul Dennert
Proponents: Barry Zimney, Self, Rapid City
Opponents: Darla Pollman-Rogers, SD National Association of Insurance and Financial Advisors

MOTION: DEFER HB 1210 TO THE 41ST LEGISLATIVE DAY

Moved by: Noem
Second by: Solum
Action: Prevailed by roll call vote. (11-3-1-0)

Voting Yes: Cutler, Feickert, Gibson, Juhnke, Kirkeby, Kirschman, Lederman, Noem, Russell, Solum, Olson (Ryan)

Voting No: Hunhoff (Bernie), Lange, Thompson

Excused: Greenfield

HB 1211: exempt investment gains from the tax levied on premiums and consideration for annuities for section 1035 exchanges.

*Prior testimony heard on Tuesday, February 2, 2010.

Presented by: Representative H. Paul Dennert
Proponents: Barry Zimney, Self, Rapid City
Opponents: Darla Pollman-Rogers, SD National Association of Insurance and Financial Advisors
Randy Moses, Division of Insurance

MOTION: DEFER HB 1211 TO THE 41ST LEGISLATIVE DAY

Moved by: Kirkeby
Second by: Noem
Action: Prevailed by roll call vote. (11-3-1-0)

Voting Yes: Cutler, Feickert, Gibson, Juhnke, Kirkeby, Kirschman, Lederman, Noem, Russell, Solum, Olson (Ryan)

Voting No: Hunhoff (Bernie), Lange, Thompson

Excused: Greenfield

HB 1197: provide for the repeal of the railroad tax credits.

Presented by: Representative Dennis Feickert (Handouts: #1)
Proponents: Michael Kenyon, Department of Revenue and Regulation
Senator Jim Hundstad
Opponents: Tim Dougherty, BNSF Railway Company
Dean Krogman, DM&E (Handouts: #2)
Rick Vallery, SD Wheat Incorporation
Joe Kraljic, BMWED/IBT
David Owen, SD Chamber of Commerce & Industry
Mathew McCaulley, SD Corn Growers
Michael Held, SD Farm Bureau
Kathleen Zander, SD Grain and Feed Association
Pat Beaudette, NAPA Authority, Wagner Native Ethanol (Handouts: #3)

MOTION: DEFER HB 1197 TO THE 41ST LEGISLATIVE DAY

Moved by: Russell
Second by: Cutler
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER HB 1197 UNTIL SUBCOMMITTEE MEETS.

Moved by: Juhnke
Second by: Kirschman
Action: Failed by roll call vote. (5-7-3-0)

Voting Yes: Juhnke, Kirschman, Lederman, Solum, Thompson

Voting No: Cutler, Feickert, Greenfield, Kirkeby, Lange, Russell, Olson (Ryan)

Excused: Gibson, Hunhoff (Bernie), Noem

MOTION: DEFER HB 1197 TO THE 41ST LEGISLATIVE DAY

Moved by: Russell
Second by: Cutler
Action: Failed by roll call vote. (6-6-3-0)

Voting Yes: Cutler, Greenfield, Kirkeby, Russell, Solum, Olson (Ryan)

Voting No: Feickert, Juhnke, Kirschman, Lange, Lederman, Thompson

Excused: Gibson, Hunhoff (Bernie), Noem

THE CHAIR DEFERRED HB 1197 UNTIL ANOTHER DAY.

MOTION: ADJOURN

Moved by: Cutler

Second by: Juhnke

Action: Prevailed by voice vote.

Linda Daugaard
Committee Secretary

Kristi Noem, Vice-Chair